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| APPLICATION NO.                                       | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/737,256  | 12/15/2003  | Sheng-Ping Zhong     | 12013/59103         | 5800             |
| 26646   | 7590        | 08/05/2005           | EXAMINER            |                  |
| KENYON & KENYON<br>ONE BROADWAY<br>NEW YORK, NY 10004 |             |                      | FULLER, ERIC B      |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 1762                |                  |
| DATE MAILED: 08/05/2005                               |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/737,256

Applicant(s)

ZHONG ET AL.

Examiner

Eric B. Fuller

Art Unit

1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 May 2005.  
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 36,37,41,42,49,52,53 and 59-74 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 36,37,41,42,49,52 and 53 is/are allowed.  
6) ☒ Claim(s) 59-61,63-69 and 71-74 is/are rejected.  
7) ☒ Claim(s) 62 and 70 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 25, 2005 has been entered.

### ***Response to Arguments***

Applicant's arguments have been found convincing for claims 36, 37, 41, 42, 49, 52, and 53. In particular, the prior art fails to teach preventing the pressurized first agent from being dispersed onto the junctions that are located between the struts. However, the newly added claims do not have this limitation. The applicant argues that Castro fails to teach opening and closing the print head to determine whether coating is applied or not. This is not found convincing. These limitations are made obvious by Tisone, which teaches solenoid valves are used to increase the precision of the print heads. Therefore, the rejections of the previous Office Action are applicable to the newly added claims.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 59-61, 63-69, and 71-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Castro et al. (US 6,395,326 B1) in view of Tisone (US 6,063,339).

Castro teaches coating a medical device substrate comprising placing the substrate in a holder assembly (column 8, line 29), placing a first agent into a first chamber connected to an inkjet printing head dispenser, delivering the first agent to the print head (column 8, lines 57-60), and moving the dispenser relative to the medical device in the x, y, and z directions to force the first agent onto the medical substrate in a desired pattern (column 16, line 12). Castro fails to explicitly teach that the print head is a "solenoid fluid dispensing head". However, Tisone teaches that solenoid valves used in print heads are beneficial in that they increase the precision of controlling the amount in each drop that is deposited (column 6, line 30 - column 7, line 17). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to use a solenoid valve in the process taught by Castro. By doing so, one would reap the benefits of increasing the precision of the coating.

Additionally, since Tisone teaches that solenoids are conventional to the art (column 2, lines 54-65), one would have a reasonable expectation of success. The

combination of the two references would have been obvious, as Tisone teaches the art recognized suitability of using solenoid valves in print heads.

All other limitations are taught, or made obvious, by the references as shown in the previous Office Action.

***Allowable Subject Matter***

Claims 36, 37, 41, 42, 49, 52, and 53 are allowed.

Claims 62 and 70 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: In combination with the intervening limitation, the prior art fails to teach, or make obvious, the limitation of closing the solenoid valve such that the pressurized first agent s prevented from being dispersed onto the junctions that are located between the struts.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric B. Fuller whose telephone number is (571) 272-1420. The examiner can normally be reached on Mondays through Thursdays.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Meeks, can be reached on (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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